

TO: Mayor & Council Members
FR: Larry DiRe, Town Manager
DT: August 16, 2021
RE: Marina bulkhead repair project contract award

Following a public notice period and site visit for potential contractors, the town had the project bid opening on Thursday July 29 2021. The town received one bid from a responsible and qualified bidder. That bid came in from Living Ecosystems, from Easton, MD, at a price of \$31,285. The approved project budget is \$30,000, equal to the grant funding. Staff and the bidder have discussed the price difference, and have agreed to an amended scope of work which removes one linear foot of bulkhead repair, and so reduces the project cost to \$30,483.

At this time staff is requesting mayor and town council award the contract to Living Ecosystems as a not to exceed contract for the revised budgeted amount of \$30,483.

LIVING ECOSYSTEMS
P.O. Box 2752
Easton, Maryland 21601-8952
410-476-4580; Fax: 410-476-5742
Cell: 410-310-1842
ecosystems@goeaston.net

Contract Bid Marshy Hope Creek Marina Bulkhead Repair Project

July 29, 2021

Town of Federalsburg
118 North Main Street
P.O. Box 471
Federalsburg, Maryland 21632
410-754-8173

SCOPE OF WORK:

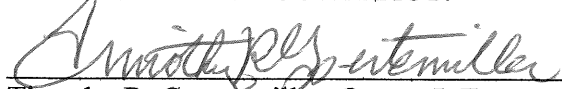
The Town of Federalsburg contracts with Living Ecosystems through Timothy Goertemiller to remove and install 35' of new bulkhead or any specified length in ten foot increments. This repair will generally consist of: 1) Remove deck boards on adjacent dock walkway; 2) excavate soils behind bulkhead; 3) remove tie back rods and deteriorated wood material; 4) install new 3" x 10" T&G boards; 5) install two rows of 6" x 8" stringers; 6) drive 12" butt pilings; 7) drive "dead man" piles; 8) install 1" tie back rods; 9) Complete all hardware installation; 10) Install erosion fabric on inside of bulkhead; 11) backfill with soils and compact; 12) install piling caps; 13) clean up.

CONTRACT PRICE: \$31,285.00

TERMS & CONDITIONS:

- 1) This work will begin immediately after the award of this contract.
- 2) A materials advance may be required to begin construction.
- 3) Balance due upon completion of project.
- 4) Detail photographs of construction will be provided.

ACCEPTANCE OF CONTRACT:


Timothy R. Goertemiller, Owner L.E.

July 29, 2021
Date

Town of Federalsburg

Date

TO: Mayor & Council Members
FR: Larry DiRe, Town Manager
DT: August 16, 2021
RE: Request for Qualifications for Professional Engineering Services

The town received grant funding from the United States Department of Agriculture (USDA) for preliminary engineering report and engineering report for the Old Denton Road watermain project. USDA, as part of their procurement process, looks for competitive bidding and public notice. Other agencies require a similar approach. Town staff wishes to advertise a request for qualifications for professional engineering services to ensure a competitive and public process as a good procurement practice. The attached document describes the submittal and selection process, and range of professional engineering services required.

Pending additional discussion, staff recommends mayor and town council approve the request for qualifications and direct staff to advertise same.

REQUEST FOR QUALIFICATIONS

General On-Call Engineering Services Federalsburg, Maryland

The Town of Federalsburg, Maryland requests a statement of qualifications from prime engineering firms to provide general on-call engineering services to the Town. The Town is seeking services of an on-call engineering firm to assist the Town with current infrastructure improvements and with planning and development of future Town infrastructure. The scope of work will vary as needs arise but will include, at a minimum, engineering design, public works consulting, plan review, construction management, grants administration, infrastructure review, bid phase services, permitting, right-of-way acquisition, geotechnical investigation, and creation of plans.

Interested firms should submit three (3) digital copies of their qualifications to include:

1. Letter of interest acknowledging the request for qualifications and describe briefly its interest in providing engineering services for the project.
2. Statement of Qualifications, including: a. Description of engineering services provided on previous projects with comparable scope and complexity. b. Listing of specific personnel who would serve on the firm's project team with names, titles, and job descriptions for each person along with descriptions of their previous experience on similar projects. c. References from at least three (3) owners for which engineering services were provided on similar projects. d. A description of the firm's experience working with municipal government.
3. A schedule of hourly rates.

Submittals will be accepted no later than 2:00 p.m. on **Wednesday, September 22, 2021** by email to lryan@bbcmlaw.com.

For additional information, please email request to lryan@bbcmlaw.com. The Town of Federalsburg encourages MBE/WBE's to submit qualifications for that portion of engineering services for which they are qualified. The Town of Federalsburg will not discriminate against any interested firms or individuals in regard to race, creed, color, sex, age, handicap or national origin, as provided by the Title VI of the Civil Rights Act of 1964, in the selection process. 2 The Town will evaluate and select the firm based on the submittals. The submittals will be scored using the following qualifications score system: 1. Engineer's resources and capability to accomplish proposed work on schedule, and experience on similar projects (25%); 2. Key Staff/Project Team experience, reputation and qualifications (20%); 3. Competitiveness of fee structure (25%); 4. Record of performance and familiarity with the Town of Federalsburg (30%); and Based upon the factors for the selection, the submittals will be screened and ranked.

The Town may in its sole discretion request a presentation from the highest ranked firm(s). Presentations may result in a change of rank. The firm selected will be based on the overall value of the submittal and not necessarily the lowest price or fee structure. The Town will execute an on-call services agreement with the selected firm and, when engineering services are needed, task orders will be executed. The term of the on-call services agreement will be three (3) years from the date of execution. The Town reserves the right to terminate the on-call services agreement at any time during the three (3)

year period. The Town further reserves the right to negotiate all elements of the on-call services agreement as part of the negotiation process prior to any formal authorization of the contract by the Town Council. The Town reserves the sole right to terminate this process, to not award a contract, and to cancel or modify this solicitation process at any time. In no event will the Town or any of their respective agents, representatives, consultants, directors, officers, or employees be liable for, or otherwise obligated to reimburse, the costs incurred in preparation of this RFQ, or any related costs.

The Town reserves the right to reject any and all proposals, to waive any requirements and to accept all or part of any proposal considered to be in the best interest of the Town. The Town reserves the right to interview any and all bidders, but shall not be required to conduct interviews. Award of the contract is subject to the approval of the Town Council.

TO: Mayor & Council Members
FR: Larry DiRe, Town Manager
DT: August 16, 2021
RE: American Rescue Plan Act update (with relevant attachments)

The American Rescue Plan Act\Coronavirus State and Local Fiscal Recovery Funds (hereafter ARPA) is a comprehensive financial relief package signed into law by the president of the United States on March 11, 2021. Unlike the CARES Act of 2020, which the Town of Federalsburg was a sub-recipient of Caroline County, ARPA funds come directly to the Town in two equal pay outs (called "tranches") this year and one year later. Funds were received on July 26, 2021. All funds must be spent or obligated by December 31, 2024. Funds cannot be used to offset a tax cut, or to pay for employee pension plans.

Over the past few months, the federal Department of the Treasury developed guidance for use of the funds as allowed by the ARPA language. Town staff has participated in webinars and trainings on the use and documentation of these funds and has kept the Mayor and Town Council informed during the process. The law allows for certain expenditures, which can be broadly applied within the allowed for uses. The majority of the federal funding, which does not require local matching funds, will be spent on upgrades and improvements to Federalsburg's water and sewer systems. That includes upgrades to change out old water meters and replace them with modern meters which will make staff more efficient in reading the meters, reduce maintenance costs, and not require replacement for twelve to fifteen years. Other expenditures will include information technology upgrades to allow residents and businesses to conduct business with the town in a remote and contactless way for the continuance of public health and ease of resident access, replacing some town revenue lost during the pandemic, and donation to the fire company for enhanced public safety. Such expenditures will benefit every resident, and every part of town. ARPA does not allow for use of funds to fix roads or sidewalks. We are all aware of the condition of some of the neighborhood roads around town, and while this funding is not for that purpose, the town staff continues to look for road project funding and works with state and federal partners to achieve that.

Federalsburg will receive a total of \$2,621,774 under ARPA. Staff has read pertinent sections of the entire ARPA legislation and guidance, and determined the town can direct funds toward replacement of lost revenue, water and sewer infrastructure projects and acquisition of capital equipment, premium pay for essential employees, grant support to and non-profit organizations, and COVID-related expenditures for public health and sanitation among the other allowable expenditures. One percent of the ARPA funds equals \$26,217. \$13,670 (0.52%) was approved for lost inspection revenue replacement at the August 2, 2021 meeting. In ascending order, staff is proposing the following expenditures: security camera system upgrades for water and sewer facilities - \$39,325 (1.50%) over two years; information technology upgrades to allow for remote work and contactless processes and transactions - \$39,325 (1.50%) over three years.

essential employee premium pay - \$41,947 (1.60%) as a one-time, first year extra paycheck for eighty hours of base pay per employee; community support for donation to the fire company as a non-profit organization - \$131,085 (5.00%) over two years; capital equipment purchase for water and sewer operations as backhoe and mini-excavator - \$288,387 (11%) over one year; water and sewer infrastructure as water meter replacement and SCADA system - \$1,225,000 (46.72%) over three years since these projects were not approved for Maryland Department of the Environment funding in the spring 2021 grant cycle.

The above cited projects and expenditures total \$1,778,561(67.84%) of total available funding, require competitive procurement but relatively little engineering and legal associated costs. Each expenditure, save for premium pay, advances the town and provision of town services years, and in some cases, more than a decade, without incurring additional debt service and/or depleting reserves. On the contrary, as the tax base expands and additional utility users come onto the system, the town will be able to grow reserves to acceptable balance levels.

The remaining roughly one-third of funding may address capital equipment needs for a new trash truck at \$320,000 (12.2%) over one year, and police vehicle purchase at \$235,200 (8.97%) over one year. The police chief has attached his vehicle cost projections to this staff report. Staff is reviewing current guidance and financial calculations to determine if these capital equipment and vehicle expenditures are eligible under ARPA. Should these expenditures be eligible, the total raises to \$2,333,761 (89.01%). The remaining balance of \$288,000 can be used, without question, toward initial water tank maintenance, or stormwater system improvements which would include approximately \$85,000 for the Baysaver system not funded by the Maryland Department of Natural Resources Chesapeake and Atlantic Bays program for the Marina Park stormwater project.

Provided for informational and discussion purposes at this time. Pending mayor and town council discussion and direction, staff will bring forward certain specific expenditures forward for action in September.

Potential American Rescue Funds Applied to FPD

Cost Analysis on Budgeted Existing/Projected Vehicle Expense and New Vehicle Acquisition

Below are the projected fiscal year figures which will be attributed to our fleet costs through Enterprise Fleet Management as they specifically relate to vehicle costs/replacement based on today's cost:

Fiscal Year 2021-22

Unit #5	\$ 9312.00
Unit #6	\$ 9312.00
Total	\$ 18,624.00

2021 New Vehicle Price: \$ 44,000.00
Up Fit Cost: \$ 12,000.00
Total: \$ 56,000.00

Total Cost of 4 Vehicles Purchased in 2022 Plus Up Fit Cost:

Total: \$ 235,200.00

Fiscal Year 2022-23

Unit #5	\$ 9312.00
Unit #6	\$ 9312.00
Unit #3	\$ 9777.00
Up Fit Fee	\$ 4000.00
Total	\$ 32,401.00

2022 New Vehicle Price: \$ 46,200.00
Up Fit Cost: \$ 12,600.00
Total: \$ 58,800.00

Fiscal Year 2023-24

Unit #5	\$ 9312.00
Unit #6	\$ 9312.00
Unit #3	\$ 9777.00
Unit #9	\$ 10265.00
Unit #10	\$ 10265.00
Up Fit Fee	\$ 8000.00
Total	\$ 56,931.00

Fiscal Year 2024-25

Unit #5	\$ 9312.00
Unit #6	\$ 9312.00
Unit #3	\$ 9777.00
Unit #9	\$ 10265.00
Unit #10	\$ 10265.00
Unit #4	\$ 10778.00
Unit #2	\$ 10778.00
Up Fit Fee	\$ 8000.00
Total	\$ 79,487.00

Grand Total \$ 187,443.00 (Projected Enterprise Costs through July, 2025)

*Assumptions:

- Inflation costs of 5% annually
- Costs do not reflect trade-in value of vehicles turned into Enterprise